



Risk Management Solutions

A QUARTERLY NEWSLETTER OF THE ALABAMA MUNICIPAL INSURANCE CORPORATION
AND THE MUNICIPAL WORKERS COMPENSATION FUND, INC.

Spring 2010

Putting the Brakes on Distracted Driving

Reprinted with permission from the January 2010 NLC-RISC Report

Many states have passed or are considering legislation to limit the use of handheld electronic devices while driving, including cellular telephones, music players, pagers, texting devices, mobile computers and GPS units. Laws being passed are designed to reduce distracted driving, which multiple studies indicate is a serious factor in traffic accidents. In some cases, municipal driving regulations have also been implemented.

Public entities are generally covered by state legislation related to distracted driving, although some public employees may be exempt for specific purposes. A common example is legislation that recognizes specific needs of law enforcement or other public safety professionals.

As new legislation is passed, employers are creating policies governing whether and when employees can use electronic devices while driving for work-related purposes or in employer owned vehicles. The rationale for such policy is to improve employee safety and reduce the number and cost of accidents that can result in property damage, liability claims, and workers' compensation claims.

Public entities face the same worries as other employer agencies – namely that an employee might be injured, cause property damage or other injury while driving and distracted. It's difficult to measure the actual instances of employee distracted driving and the possible cost impacts. Most employees don't report being distracted at the time of an accident, so counting the number

of claims or estimating cost of distraction is nearly impossible.

The most helpful step in addressing the distracted driving issue for public entities may be to develop a policy about employee driving expectations. At a minimum, public entity driving policies should address:

- That all employees are expected to abide by federal, state and local driving laws.

- That all employees expected to drive for work-related purposes maintain a valid drivers license. (Note there may be specific regulation and special requirements for certain employee classes or employees requiring a commercial drivers' license; and in some cases a background check of driving records will be required or suggested).

- Insurance requirements for an employee using his/her personal vehicle for work-related purposes.

- Whether and under what circumstances employees may use any mobile telephone, texting, email, two-way radio, pager, computer or other communication device while driving. Some employers are moving toward an "emergency use only" policy for these kinds of devices and requiring that

whenever possible employees stop or pull to the side of the road before they use any of these devices.

- Whether and under what circumstances use of hands-free technology is acceptable practice. Some studies suggest distraction dangers are not less when using hands-free technology.

- Whether other electronic devices such as external music players and GPS units are allowable uses while driving, and if

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Texting and Driving cont.

so under what circumstances. GPS is often recommended to be programmed only when the vehicle is stopped and out of traffic.

- Specific employee groups, public purposes or devices that are permitted, under what circumstances and why. Examples might include law enforcement use of mobile computers to check license information during a motor vehicle stop.

- If use of any electronic devices while driving is allowed, practice tips for minimizing risks (things like pre-programming frequently-used numbers, active driving habits to combat distraction, placement of electronic devices within the vehicle, etc). It will be important for agencies to carefully balance the value of these tips against overall goals of a distracted driving policy.

- Information that must be reported as part of an employee accident report.

- What sort of reporting requirements exist for an employee or supervisor who witnesses a policy violation?

- What disciplinary action may be taken for a reported or documented violation of policy, if any?

Resources and Additional Information

A number of cities and towns are working on employee driving policies that can be shared with others. Information is also available through the National Highway Traffic Safety Administration, National Safety Council, and Insurance Institute for Highway Safety. ■

The City of Prattville sent the following memo to all city employees on November 23, 2009 regarding the City's policy on texting while operating city vehicles:

Recent deadly crashing involving drivers distracted by text messaging while behind the wheel highlight a growing danger on our roads. Text messaging causes drivers to take their eyes off the road and at least one hand off the steering wheel, endangering both themselves and others.

To that end, City of Prattville employees shall not engage in text messaging while driving City owned vehicles, when driving personal vehicles while on official City business or when using electronic equipment supplied by the City of Prattville. This ban does not include operating a motor vehicle when one has pulled over to the side of an active roadway and stopped in a safe location.

Certain employees, devices and/or vehicles that are engaged in or used for public safety or other emergency conditions are exempted.

More Loss Control Resources

Visit the [Loss Control link at www.amicentral.org](http://www.amicentral.org) for additional resources.

The Deep South Center for Occupational Health & Safety promotes health and safety in workplaces and communities through education, research, training and outreach. The Center brings together students and faculty from the University of Alabama at Birmingham School of Public Health, School of Nursing; Auburn University's Samuel Ginn College of Engineering and the College of Human Studies at the University of Alabama. **Scholarships:** The Deep South Center for Occupational Health and Safety has developed training programs with support from the National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, Public Health Service, US Department of Health and Human Services. Scholarships are available to personnel from state and local agencies needing training on respiratory protection programs. Visit www.uab.edu/dsc or contact 205.934.7178 or dsc@uab.edu for more information on scholarships.

HOT TOPIC!

Use of Personal Vehicles by Firefighters to Respond to Emergency Calls

The Alabama Municipal Insurance Corporation does not provide auto coverage to firefighters, paid or volunteer, when using their personal vehicles to respond to an emergency – whether it is responding to the station or an emergency scene. We recommend that people who are going to use their personal vehicles for emergency calls notify their insurance carrier that they are using their vehicles in this manner. We further advise checking the state laws pertaining to emergency vehicles to determine what is allowed in the State of Alabama regarding the use of lights and sirens on personal vehicles.

Defining Moment

Employee Theft and Bonding

We hate to think about it, but when it comes to theft of municipal money or equipment, an employee being the culprit is a real possibility. Thankfully, most employees are honest law-abiding citizens; however, we still need to plan and protect our town or city in case there is a bad seed in the group. From an insurance standpoint, there are several things that need to be considered. Under a standard Commercial Property policy, theft is covered – but only if perpetrated by a *non-employee*. Under that policy, theft or dishonesty by an employee is specifically excluded. So how do we cover employee theft and dishonesty? Well, there is a two-part answer.

Under Alabama law, the Clerk, the Treasurer and the “person having authority” are required to have Public Officials Bonds. In most cases the “person having authority” will be the Mayor, although that title is not actually used in the law. Additionally, although not required by law but due to another policy exclusion, Tax Collectors should also obtain a Public Officials Bond. Since these bonds are for the positions and not for named individuals, they don't need updating every time there is a changeover of staff. However, the bonds do need to be maintained to cover the employees in those positions for theft and dishonest acts.

But what about all the other employees? The good news is that coverage can be added. It's important to note that the coverage part needed is not by default part of the Commercial Property policy. So to cover employee theft and dishonesty for non-bonded employees, you would need to add the Commercial Crime (CR0016) Form. Therefore, with a combination of Public Officials Bonds for the Mayor, Clerk, Treasurer and Tax Collectors as well as the optional Commercial Crime coverage part, you can obtain the coverage you need. For more details about this topic, please contact your local Agent or AMIC directly to discuss your coverage options.

2009 Risk Management Awards

ALM President's Awards (Top 5% for 5 years)

Alabama League of Municipalities
Aliceville Housing Authority
Anniston Housing Authority
Ashland
Ashville Water & Sewer Board
Banks
Beaverton
Benton
Boligee
Brent
Butler
Carbon Hill Housing Authority
Center Point
Coaling
Community Life Institute
Deatsville VFD, Inc.
Dozier
East Central Alabama Gas District
Elmore Water Authority
Eva
Fairview
Fruithurst Fire Department
Glenwood
Governmental Utility Services
(Bessemer)
Hayden
Heflin Housing Authority
Langston
Linden Utilities
Marion Housing Authority
Mooresville
Nauvoo Waterworks
Needham
North Alabama Gas District
Opelika Housing Authority
Opelika Waterworks Board
Orange Beach Water & Sewer Board
Ozark Utilities
Pickensville
Pine Apple
Pinson
Pollard
Ragland Housing Authority
Reform Water & Sewer Board
Rehobeth
Russellville Electric Board
Russellville Waterworks & Sewer
Slocomb Water & Sewer
South Central Alabama Regional
Housing Authority
Southside Waterworks Board
Sulligent Housing Authority
Summerdale
Tarrant Housing Authority
Tri Community Water System
Tuskegee Utility Board
Uniontown Housing Authority
Wedowee
West Blockton
Wilton Water and Gas

Gold Awards (Loss ratio below 5%)

Abbeville Housing Authority
Abbeville Water & Sewer
Akron
Alabama League of Municipalities
Alabama Municipal Election Authority
Albertville Utilities
Alexander City Housing Authority
Aliceville
Aliceville Housing Authority
Aliceville Water & Sewer
Allgood
Andalusia Housing Authority
Andalusia Rescue Squad
Anderson
Anniston Housing Authority
Arab Housing Authority
Arab Sewer Board
Arab Water Works Board
Arley
Ashland
Ashland Water & Sewer Board
Ashland, Goodwater-Lineville Solid
Waste Disposal Authority
Ashville Water & Sewer Board
Athens Housing Authority
Athens Utilities
Atmore
Attalla Housing Authority
Autauga/Prattville Library
Autaugaville
Baker Hill
Banks
Bay Minette Housing Authority
Bayou La Batre Water & Sewer
Bear Creek Water Works Board
Beaverton
Belk
Benton
Berry Gas Board
Berry Housing Authority
Birmingham Regional Planning
Commission Senior Aide
Birmingham Water
Black Warrior Solid Waste Authority
Blountsville
Blountsville Housing Authority
Blountsville Utilities
Boaz Gas Board
Boligee
Boston Housing Authority
Brantley
Brent Housing Authority
Brent Utilities
Brewton Housing Authority
Brewton Natural Gas
Bridgeport Housing Authority
Bridgeport Utility Board
Brundidge Housing Authority
Butler
Butler Utilities

C.C.E.M.S.
Calera Housing Authority
Calera Waterworks
Camp Hill
Camp Hill Utilities
Carbon Hill Housing Authority
Carbon Hill Utility Board
Castleberry
Center Point
Centre Waterworks & Sewer
Centreville Water Works & Sewer Board
Chatom
Chatom Utility
Chelsea
Chickasaw Housing Authority
Chickasaw Utilities
Chilton County Solid Waste Disposal
Clanton Housing Authority
Clarke-Mobile County Gas District
Clayhatchee
Clayton Housing Authority
Cleveland
Clio
Coaling
Coffee Springs
Coffeeville Waterworks
Coker
Colbert County Animal
Colony
Columbia
Columbiana
Columbiana Housing Authority
Columbiana Waterworks
Community Life Institute
Coosa Valley Water
Coosada
Cordova Housing Authority
Cordova Water & Gas Board
Cottonwood Housing Authority
County Line
Cowarts
Crossville Water Board
Cuba
Cullman Utilities
Cullman-Jefferson Counties Gas District
Daleville Housing Authority
Dauphin Island Water
Deatsville
Deatsville VFD, Inc.
Decatur Personnel Board
Demopolis Housing Authority
Demopolis Water
Detroit
Dodge City
Dothan
Dothan Housing Authority
Double Springs Waterworks Board
Douglas
Dozier
Dutton
East Brewton
East Brewton Waterworks & Sewer
East Central Alabama Gas District

East Geneva Co. Senior Citizens
Committee
Eclectic Water & Sewer Board
Elba Water & Electric Board
Elkmont
Elmore County Economic Dev
Elmore Water Authority
Emelle
Enterprise Housing Authority
Enterprise Rescue
Eufaula Housing Authority
Eufaula Housing Development
Eutaw Housing Authority
Eva
Evergreen Housing Authority
Excel
Fairfiled Housing Authority
Fairview
Faunsdale
Fayette Gas Board
Fayette Housing Authority
Five Points
Five Star Water District
Flomaton
Floral
Floral Housing Authority
Floral Water and Sewer Board
Florence Housing Authority
Foley Housing Authority
Fort Deposit
Fort Deposit Water Works & Sewer
Board
Frisco City
Fruithurst Fire Department
Fultondale Gas Board
Fyffe
Gadsden Airport Authority
Gadsden Emergency Management
Agency
Gainesville
Gantt
Garden City
Gardendale
Geiger
Georgiana Housing Authority
Georgiana Water & Sewer
Gilbertown
Glen Allen
Glencoe Water & Sewer
Glenwood
Goldville
Goodwater
Goodwater Housing Authority
Gordo
Gordo Water Board
Gordon
Goshen
Governmental Utility Services
(Bessemer)
Greene County Ambulance Service
Greensboro Housing Authority

continued next page

Gold Awards Cont.

Grove Hill
Guin Water & Sewer Board
Gurley
Hackleburg
Hackleburg Housing Authority
Haleyville Housing Authority
Haleyville Water & Sewer Board
Hamilton
Harpersville Water Board
Hartselle Utilities
Hayden
Headland Housing Authority
Heath
Heflin Housing Authority
Heflin Water & Sewer
Helena
Helena Utilities
Highland Lake
Hobson City
Hodges
Hokes Bluff Sewer Board
Hokes Bluff Water Board
Holly Pond
Hoover
Huntsville Tennis Board
Huntsville-Madison County Airport
Hurtsboro Water Works
HyTop
Indian Springs
Jackson Gap
Jackson Water & Sewer Board
Jasper Housing Authority
Jemison
Kansas
Killen
Kinsey
Lake-View
Lamar County Gas District
Langston
Lawrence-Colbert Counties Gas Board
Leeds
Leesburg
Leighton Water Works & Sewer Board
Lexington
Linden Housing Authority
Linden Utilities
Lineville
Lineville Water & Sewer
Lisman
Littleville
Lockhart
Lowndesboro
Luverne Housing Authority
Lynn
Magnolia Springs
Malvern
Maplesville Water Works & Gas Board
Margaret
Marion Housing Authority
Maytown
McIntosh
McKenzie
Mentone

Midway
Millport Housing Authority
Millry
Mobile County Emergency
Management
Monroeville Housing Authority
Moody
Mooresville
Morris
Moulton
Moulton Housing Authority
Moulton Water & Sewer Board
Moundville
Mountain Brook
Mountainboro
Mulga
Mulga Waterworks & Utility Board
Munford
Muscle Shoals Electric Board
Myrtlewood
Natural Bridge
Nauvoo
Nauvoo Waterworks
Nectar
Needham
New Brockton Housing Authority
New Hope
New Site
Newbern
Newton
Newton Housing Authority
Newton Water & Sewer
Newville
North Alabama Gas District
North Central Alabama Regional
Council of Government
North Courtland
Northport Housing Authority
Northwest Alabama Council of Local
Gov. - Senior Aides Program
Northwest Alabama Gas District
Oak Hill
Odenville
Oneonta Housing Authority
Opelika Housing Authority
Opelika Waterworks Board
Opp Housing Authority
Opp Utilities
Orange Beach Water & Sewer Board
Orville
Oxford Water & Sewer Board
Ozark Dale Co, E-911
Ozark Housing Authority
Ozark Utilities
Paint Rock
Parrish
Parrish Housing Authority
Parrish Water & Sewer Board
Pennington Utilities
Phenix City Housing Authority
Phil Campbell
Phil Campbell Housing Authority
Phil Campbell Water & Sewer Board
Pickens County Gas

Pickensville
Piedmont Housing Authority
Pike Road
Pinckard
Pine Apple
Pinson
Pisgah
Pleasant Groves
Pollard
Prattville Solid Waste Authority
Prattville Waterworks
Priceville
Prichard Housing Authority
Prichard Water
Providence
Ragland Housing Authority
Ragland Water Works & Gas
Rainbow City Utilities Board
Rainsville
Ranburne
Red Bay Housing Authority
Red Level
Reece City
Reform Housing Authority
Reform Water & Sewer Board
Rehobeth
Repton
Roanoke
Roanoke Housing Authority
Rockford
Rockford Gas Board
Rockford Waterworks
Rogersville
Rogersville Waterworks & Sewer
Russellville Electric Board
Russellville Housing Authority
Russellville Waterworks & Sewer
Rutledge
Saint Florian
Samson Housing Authority
Scottsboro Housing Authority
Section-Dutton Water
Shorter
Silas
Silverhill
Sipsey
Skyline
Slocomb Housing Authority
Slocomb Water & Sewer
Smiths Station
Snead
Somerville
South Central Alabama Development
Commission
South Central Alabama Development
Commission/ Senior Aides Division
South Central Alabama Regional
Housing Authority
South Vinemont
Southside Waterworks Board
Spirit of Anniston Main Street Program
Springville
Steele
Steele Waterworks Board

Stevenson
Stevenson Housing Authority
Sulligent
Sulligent Housing Authority
Sumiton Gas Board
Sumiton Housing Authority
Sumiton Water Board
Susan Moore
Sweet Water
Sweet Water Water Works
Sylacauga Utilities
Sylvan Springs
Sylvania
Talladega Housing Authority
Talladega Springs
Tarrant Housing Authority
Thomasville Waterworks & Sewer
Toxy
Trafford
Tri Community Water System
Triana Housing Authority
Troy
Troy Board of Education
Trussville Utility Board
Tuscaloosa Housing Authority
Tuscumbia Utilities Department
Tuskegee Housing Authority
Tuskegee Utility Board
Twin
Union Grove
Union Grove Utilities
Uniontown
Uniontown Housing Authority
Upper Bear Creek Water, Sewer & FPA
Valley Grande
Valley Head Housing Authority
Valley Housing Authority
Vernon Water & Sewer Board
Vina
Vincent Housing Authority
Vincent Water & Sewer
Vredenburgh
Warrior
Washington County Library Board
Webb
Wedowee
Wedowee Water, Sewer & Gas Board
West Blockton
West Jefferson
Westover
Wilcox County Gas
Wilsonville
Wilton
Wilton Water and Gas
Winfield Housing Authority
Winfield Waterworks & Sewer
Winston County Industrial Development
Authority
Woodstock
Woodville
York

Silver Awards
(Loss ratio of 5% to 20%)

Adamsville
Alabama-Tombigbee Regional
Commission
Alabaster Water Board
Alexander City
Andalusia Utilities
Anniston
Ardmore
Asbury Water Board
Ashville
Athens
Auburn Water Board
Bear Creek
Bear Creek Development Authority
Birmingham Regional Planning
Commission General Fund
Birmingham-Jefferson Civic Center
Brent
Brewton
Brookside
Carbon Hill
Carrollton
Centre
Centreville
Childersburg Housing Authority
Citronelle
Clanton
Clay
Clayton Water & Sewer
Collinsville
Craig Field Airport Authority
Creola
Dadeville
Daphne
Daphne Utilities
Decatur
Dora Waterworks & Gas Board
Double Springs
East Alabama Mental Health &
Retardation
Elba
Elba Housing Authority
Elmore
Eufaula Water Works
Fairhope
Falkville
Foley/Riviera Utilities
Fort Payne
Fort Payne Housing Authority
Fort Payne Improvement Authority
Gaylesville
Geneva
Good Hope
Goodwater Waterworks & Sewer
Gordo Housing Authority
Greenville
Greenville Waterworks & Sewer
Guin
H. E. L. P., Inc.
Hammondville
Hartselle Housing Authority
Heflin

Henagar
Hokes Bluff
Huntsville & Madison County Senior
Center/Huntsville Transit
Huntsville Housing Authority
Hurtsboro
Irondale
Jasper Waterworks and Sewer
Kimberly
Kinston
Lanett
Lee-Russell Council of Local
Governments
Leighton
Louisville
Luverne
Marion
Millport
Mobile Airport Authority
Mobile County Personnel Board
Montevallo
Montgomery Water & Sewer
Mount Vernon
Muscle Shoals
Muscle Shoals Utilities
Northwest Alabama Council of Local
Government Auto
Oakman
Ohatchee
Oneonta
Oneonta Utilities
Opp
Orange Beach
Owens Cross Roads
Pennington
Piedmont
Ragland
Red Bay Water & Gas
Riverside
Robertsdale
Russellville
Russellville Gas Board
Sand Rock
Saraland
Sardis City
Sardis City Waterworks Board
Satsuma
Selma
Sheffield
Slocomb
South Alabama Regional Planning
Commission
Sylacauga Housing Authority
Talladega Water & Sewer Board
Tarrant Electric Department
Town Creek
Trussville
Tuscaloosa Parking & Transit Authority
West Alabama Regional Commission
Wetumpka Water & Sewer

Bronze Awards
(Loss ratio of 20% to 40%)

Abbeville
Alabaster
Albertville
Andalusia
Anniston Water Board
Arab
Atmore Utilities
Auburn
Bay Minette
Bayou La Batre
Beatrice
Bessemer
Bessemer Electric and Water
Birmingham Airport Authority
Birmingham District Housing
Authority
Birmingham-Jefferson County
Transit Authority
Boaz
Brookwood
Brundidge
Calera
Central Alabama Regional Planning
Commission
Cherokee Waterworks & Gas Board
Chickasaw
Childersburg Waterworks, Sewer
& Gas
Clayton
Cullman
Dadeville Housing Authority
Decatur Housing Authority
East Alabama Regional Planning &
Development Commission
Eclectic
Elberta
Eufaula
Evergreen
Fairfield
Fayette
Fayette Water Works Board
Foley
Fort Payne Waterworks Board
Fultondale
Gadsden
Geneva Water
Georgiana
Guin Housing Authority
Gulf Shores

Guntersville Electric Board
Guntersville Housing Authority
Hamilton Housing Authority
Homewood
Hueytown
Jackson
Jacksonville
Jacksonville Water Works, Gas/
Sewer
Kennedy
Leeds Housing Authority
Livingston
Locust Fork
Maplesville
Midfield
Midland City
Mobile Transit Management
Montevallo Water & Sewer
Northport
Notasulga
Oak Grove
Opelika
Pelham
Phenix City
Pine Hill
Pleasant Grove
Prattville
Prichard
Rainbow City
Reform
Satsuma Waterworks & Sewer
Board
Scottsboro Sewer & Waterworks
Board
Section
Southeast Alabama Gas
Southeast Alabama Regional
Planning & Development
Commission
Spanish Fort
Storm Water Management Authority
Summerdale
Sylacauga
Tarrant City
Thorsby
Union
Valley Head Water Works Board
Vincent
Wadley
Wetumpka
Woodland

Upcoming Loss Control Seminars

Detailed information will be mailed in upcoming weeks;
however, mark your calendars for the following:

August 11 – Athens • August 12 – Calera
August 17 – Brewton • August 18 – Valley



ALABAMA LEAGUE OF MUNICIPALITIES
P.O. Box 1270 • 535 ADAMS AVE.
MONTGOMERY, AL 36102

CHANGE SERVICE REQUESTED

Presorted Std.
 U.S. POSTAGE
PAID
 Montgomery, AL
PERMIT NO. 340

Spring Safety DVDs

- 5.032 Right-Of-Way Mowing Safety
- 5.039 Tractor Safety
- 5.049 Distractions: Behind the Wheel For Drivers
- 5.052 Why Do We Drive the Way We Do?
- 5.053 Landscaping Equipment: Safety and Maintenance
- 5.055 Distracted Driving: At What Cost?
- 5.057 Backhoe Safety: Inspection and Walk Around
- 7.008 Dog Bite Prevention
- 7.026 Lyme Disease: Danger In The Grass
- 7.105 Groundskeeping Safety: Dealing with Bugs & Critters
- 7.106 Groundskeeping Safety: Be A Pro!
- 7.108 Protecting Your Feet: Learning Your ABC's

**Call, FAX or e-mail your Video/DVD request to Rachel Wagner at:
 334-262-2566; rachelw@alalm.org; or FAX at 334-263-0200.**

ATTENTION!

**For step-by-step instructions on filing
 work comp claims, visit:**

www.alalm.org/MWCF/claimreporting.html

EMPLOYMENT PRACTICES LAW HOTLINE

1-800-864-5324

Through a toll-free Employment Practices Law Hotline, members can be in direct contact with an attorney specializing in employment-related issues. When faced with a potential employment situation, the hotline provides a no-cost, 30 minute consultation.

2010 SKIDCAR SCHEDULE

Date/location subject to change.

- | | | | |
|-----------------|-------------|----------------|-----------------|
| • Eufaula | April 20-23 | • Decatur | August 17-27 |
| • Citronelle | May 4-7 | • Troy | September 14-24 |
| • Oxford | June 15- 25 | • Calera | October 12-22 |
| • Thomasville | July 6-9 | • Orange Beach | November 9-19 |
| • Muscle Shoals | July 20-30 | • Montgomery | December 7-17 |



*For more information, contact
 Donna Wagner at 334-262-2566.*

